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April 29, 2022

**VIA EMAIL**

Nadine Bennett, AICP  
Senior Planner  
Town of Matthews  
232 Matthews Station St.  
Matthews, NC 28105  
nbennett@matthewsnc.gov

RE: Rezoning Petition No. 2022-746 Esperanza Properties, Inc. (3212, 3240 and 3250 Campus Ridge Road, Matthews, Mecklenburg County, NC) (the "Site")

Nadine:

In advance of the Board of Commissioners Decision currently scheduled for May 9, 2022, I am enclosing the following documents for consideration and inclusion in the Board's meeting packets:

1. Revised Addendum: Conditions to Rezoning Approval ("Conditions");
2. Revised Concept Plan (revised to move outdoor storage/parking envelope on the third parcel within the property lines and as shown imposed over the existing parking area);
3. Landscape rendering showing enhanced streetscape along Campus Ridge Road;
4. Cross Section illustrating site line from Campus Ridge Road into Site;
5. Illustrations of potential industrial type building façades (tilt wall construction) proposed for this Site.

Applicant seeks I-2 conditional zoning with limited I-1 uses and outside storage. Rezoning the Site as requested allows for productive use of currently unusable land. Rezoning approval also affords the Town of Matthews a unique opportunity to provide good paying employment options right here in Town; allowing its citizens to both live and work in the same community.

Although the Site consists of 19 acres, it is largely encumbered by various Land Use Restrictions and an active freight rail corridor that limit both its use and utility to industrial purposes. Applicant has worked with Planning Staff and incorporated the comments of the Planning Board as well as the Board of Commissioners to present a limited list of uses that would be appropriate to the Site and amenable to the surrounding areas as follows:

- a. Light manufacturing and assembly,
- b. Warehouse/distribution,
- c. Contractor facility with outdoor storage, and
- d. Outdoor storage as allowed in I-2 zoning.

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Conditions proposed prohibit any outdoor storage use on the parcel adjacent to Campus Ridge Road, as well as prohibit the use of metal siding for building exteriors. Applicant also proposes enhanced landscaping along Campus Ridge Road that exceeds ordinance requirements. Where able, Applicant commits to the use of existing vegetation to meet buffer/screening requirements. As also noted in the Conditions, any construction or development of the Site will require return to the Board of Commissioners for approval of site plan and building elevations.

The proposed rezoning is compliant with the applicable and surrounding land use plans of the Town that call for light industrial uses in this area. Additionally, the Site is ideal for the proposed uses given that it is 19 acres in size (1/3<sup>rd</sup> of a mile deep) but is only visible along less than 600 feet of Campus Ridge Road.

We look forward to your comments and recommendation of approval for the Petition.

Thank you for your attention to this matter. Should you have any questions or require any additional information, please do not hesitate to contact me directly at 704-998-2253.

Sincerely,

JOHNSTON, ALLISON & HORD, P.A.



Amy Rickers

ALR/acs  
Enclosures



Addendum: Conditions to Rezoning Approval

PID #: 21506109, 21506110, 21506101

TOTAL PROJECT SIZE: ±19.7 ACRES

EXISTING ZONING: R-20

PROPOSED ZONING: I-2(CD)

EXISTING USE: VACANT

PROPOSED USE: LIGHT INDUSTRIAL AND OUTSIDE STORAGE

MAXIMUM BUILDING HEIGHT: 45 FT

TREE SAVE AREA REQUIRED: AS REQUIRED BY ORDINANCE

BUILDING SETBACKS:

FRONT SETBACK – AS REQUIRED BY ORDINANCE – 40 FT

REAR YARD – AS REQUIRED BY ORDINANCE – 20 FT

SIDE YARD- 10 FEET

**1. General provisions**

A. These development notes set forth development standards and conditions that form a part of the rezoning application filed by Esperanza Properties, Inc. (“petitioner” or “owner”) to accommodate the development of approximately 19.7 acres located off of Campus Ridge Road in the Town of Matthews (“Town”), Mecklenburg County, North Carolina (the “Site”).

B. These development notes, petitioner's rezoning application and any additions or revisions thereof are collectively referred to as the “rezoning petition” or “conditional plan.” Development of the Site will be governed by the conditional plan as well as applicable provisions of the Town of Matthews Unified Development Ordinance (“Ordinance”). Unless the conditional plan or these development notes establish more stringent standards, the regulations established under the Ordinance for the I-2 zoning district shall govern the development and use of the Site.

C. The development and uses depicted on the conditional plan or submitted as part of the rezoning petition are schematic in nature and are intended to depict the general arrangement of the uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the conditional plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and perimeter landscaping requirements set forth on the conditional plan and the development notes, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the conditional plan.

D. Development of the Site is proposed within three (3) parcels. If the entire site is used for a single unified use the three (3) parcels must be combined into a single parcel.

E. Any construction or development on the Site will require return to the Board of Commissioners for approval of site plan layout and building elevations prior to development.

F. The Site may be developed with one or more principal buildings not to exceed a maximum total of 150,000 square feet of building area.

**2. Permitted uses**

A. The Site may be developed for the following I-1 uses, plus Outdoor Storage as allowed in I-2, along with such other accessory uses and structures incidental and related thereto:

- Light Manufacturing and Assembly
- Warehouse/Distribution
- Contractor Facility with Outdoor Storage

B. Prohibited uses: Any use not specifically listed as a permitted use above is prohibited.

C. Tax Parcel # 21506101 shall not be used for Outdoor Storage use.

**3. Transportation**

A. Development of the Site at the size, square footage, or rate as set out in the Transportation Technical Memorandum ("TTM") accompanying this rezoning petition will not require a Traffic Impact Analysis/Traffic Impact Study. Details of any development exceeding the measures set out in the TTM will be submitted to the Town to determine whether a Traffic Impact Analysis will be required.

B. Driveways:

(1) The site shall have primary vehicular access along Campus Ridge Road via at least two access points in locations as generally depicted on the concept site plan. Exact location of access to and from the site will be determined after orientation of the proposed buildings and structures in relation to the adjacent right of way is established.

(2) Any proposed driveway connections to Campus Ridge Road will require driveway permits to be submitted to Town for review and approval. The exact driveway locations and type/width of the driveways will be determined by NCDOT and Town during the driveway permit process.

**4. Landscaping, Screening, Streetscape and Public Improvements:**

A. The Site shall meet Ordinance requirements for tree protection, landscaping and screening subject to the Declaration of Land Use Restrictions recorded in Bk. 27644, Pg.392-397 and Bk. 27160, Pg. 126-132 of the Mecklenburg County Public Registry for Parcels 21506109 and 21506110 ("Land Use Restrictions").

B. In the event that the Land Use Restrictions or other unusual Site factors would make strict adherence to the requirements of Ordinance Section 155.606 serve no useful purpose or

impose an unnecessary hardship on the property owner, the Planning Director may waive all or parts of the requirements of said section.

- C. Petitioner shall screen outdoor storage from view along Campus Ridge Road.
- D. Should the land use relationship between the site and abutting properties change such that a lesser buffer would be required, petitioner reserves the right to reduce or eliminate the aforementioned buffers in accordance with ordinance requirements and the limits of the development envelope may be expanded to include the former buffer area(s).
- E. Along Campus Ridge Road, Petitioner will provide a five foot wide sidewalk and eight foot planting strip. The sidewalk may meander in order to avoid trees, utilities, topography or other encumbrances.
- F. Where applicable, petitioner reserves the right to use existing vegetation to meet any buffer and screening requirements.
- G. Petitioner shall comply with applicable Tree Save as required by Ordinance to the extent allowed by the Land Use Restrictions.
- H. Applicable Public Improvements requirements shall be met prior to the issuance of the first Certificate of Occupancy for any building on the Site.
- I. The Site shall comply with stormwater regulations as required by Ordinance.

#### **5. Architectural Features**

- A. Exterior building materials for proposed building facade construction will not include sheet metal siding on principal building facades. Metal siding may be used to house mechanical equipment on the roof of the buildings.
- B. Architectural renderings, photographs and/or illustrations of proposed buildings or site elements submitted with, or included as part of the conditional plan are for illustrative purposes only, and intended to reflect the general character of what will be constructed on the Site.

#### **6. Binding effect of the rezoning petition:**

Upon approval of this rezoning petition all conditions applicable to development of the Site imposed under these development conditions and the conditional plan, will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of petitioner and owner, including any subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.





For illustration purposes only, expected potential design style and materials. Per condition 1.E. to Rezoning Application 2022-746, any construction or development will require return to the Board of Commissioners for approval of the site plan layout and building elevations.





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